

HOUSE BILL 1285

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D2

2002 Regular Session
(21r2666)

ENROLLED BILL

-- Commerce and Government Matters/Judicial Proceedings --

Introduced by ~~Delegate W. Baker~~ **Delegates W. Baker, Walkup, Schisler,
Eckardt, and Cane**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Talbot County and Dorchester County, Dorchester, Caroline, Kent, and**
3 **Queen Anne's Counties - Chief Deputy Sheriffs and Deputy Sheriffs -**
4 **Employment Status**

5 FOR the purpose of establishing that a chief deputy sheriff or the managerial
6 equivalent appointed by the Sheriff of Dorchester County, Caroline County,
7 Kent County, or Queen Anne's County shall serve at the pleasure of the
8 respective Sheriff; prohibiting the ~~Sheriff of Dorchester County and the Sheriff~~
9 ~~of Talbot County~~ Sheriffs of Dorchester, Talbot, Caroline, Kent, and Queen
10 Anne's counties from refusing to reappoint a deputy sheriff in the respective
11 county without just cause; authorizing the ~~Sheriff~~ Sheriffs of Talbot ~~County and~~
12 Caroline counties to appoint a chief deputy sheriff or the managerial equivalent
13 who shall serve at the pleasure of the respective Sheriff; and generally relating
14 to the chief deputy sheriffs and deputy sheriffs in Talbot ~~County and in~~
15 ~~Dorchester County,~~ Dorchester, Caroline, Kent, and Queen Anne's counties.

16 BY repealing and reenacting, with amendments,

1 Article - Courts and Judicial Proceedings
 2 Section 2-309(g),(k),(p),(s), and (v)
 3 Annotated Code of Maryland
 4 (1998 Replacement Volume and 2001 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 6 MARYLAND, That the Laws of Maryland read as follows:

7 **Article - Courts and Judicial Proceedings**

8 2-309.

9 (g) (1) The Sheriff of Caroline County shall receive an annual salary of
 10 \$45,000 in 1995 and in each subsequent year.

11 (2) (I) The Sheriff may appoint:

12 1. [deputy] DEPUTY sheriffs and other personnel in
 13 accordance with the County budget; AND

14 2. A CHIEF DEPUTY SHERIFF, OR THE MANAGERIAL
 15 EQUIVALENT, WHO SHALL SERVE AT THE PLEASURE OF THE SHERIFF.

16 (II) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY
 17 SHERIFF WITHOUT JUST CAUSE.

18 (k) (1) The Sheriff of Dorchester County shall receive an annual salary of
 19 \$45,000 and be allowed the actual operating costs of the Sheriff's office, including the
 20 maintenance of automobiles.

21 (2) (i) The Sheriff shall appoint a chief deputy [sheriff] SHERIFF, OR
 22 THE MANAGERIAL EQUIVALENT, WHO SHALL SERVE AT THE PLEASURE OF THE
 23 SHERIFF.

24 (ii) If an employee of the Sheriff's office is appointed as chief deputy
 25 sheriff and is subsequently removed from the chief deputy sheriff's position for other
 26 than cause, the person may resume the employment status held prior to the
 27 appointment to the chief deputy sheriff's position.

28 (iii) The chief deputy sheriff shall:

29 1. Perform all duties assigned by the Sheriff; and

30 2. If the Sheriff is temporarily incapacitated or there is a
 31 vacancy in the office of the Sheriff, perform all legal functions of the Sheriff.

32 (iv) If the Sheriff becomes incapacitated and the position of chief
 33 deputy sheriff is vacant, the County Commissioners shall appoint an acting chief
 34 deputy sheriff to serve until the Sheriff is reactivated or replaced.

1 (v) The County Commissioners shall approve the salary of the chief
2 deputy sheriff.

3 (3) (i) The Sheriff may appoint probationary deputy sheriffs, deputy
4 sheriffs, investigators, communications officers, secretaries, supervisors,
5 administrators, and other staff as approved in the county budget.

6 (ii) The County Commissioners shall approve the salaries for all
7 staff appointed by the Sheriff.

8 (III) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY
9 SHERIFF WITHOUT JUST CAUSE.

10 (p) (1) The Sheriff of Kent County shall receive a salary of:

11 (i) \$45,000 for the calendar year 2003;

12 (ii) \$46,000 for the calendar year 2004;

13 (iii) \$47,000 for the calendar year 2005; and

14 (iv) \$48,000 for the calendar year 2006 and each calendar year
15 thereafter.

16 (2) At the discretion of the County Commissioners, the Sheriff shall
17 receive county-owned automobiles as may be necessary to operate the Sheriff's
18 department.

19 (3) (I) The Sheriff shall appoint a chief deputy sheriff, OR THE
20 MANAGERIAL EQUIVALENT, who shall:

21 1. [receive] RECEIVE a salary of at least \$8,000; AND

22 2. SERVE AT THE PLEASURE OF THE SHERIFF.

23 (II) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY
24 SHERIFF WITHOUT JUST CAUSE.

25 (4) The Sheriff and the Sheriff's deputies shall be paid allowances as the
26 Commissioners may deem necessary.

27 (5) The County Commissioners may authorize additional deputies as
28 necessary and shall set their compensation at the time of their appointment.

29 (6) The County Commissioners may authorize the Sheriff to appoint as
30 part-time deputies individuals employed in specific plants, schools, hospitals,
31 institutions, business enterprises, and land development tracts situated within Kent
32 County who are limited to service only within the particular facility where they are
33 employed, and who may not be compensated by Kent County for their services.

1 (s) (1) (I) The Sheriff of Queen Anne's County shall receive a salary set by
2 the County Commissioners of at least \$10,000.

3 (II) The Sheriff shall appoint a chief deputy OR THE MANAGERIAL
4 EQUIVALENT, at WHO SHALL:

5 I. RECEIVE a salary set by the County Commissioners of at
6 least \$4,500; AND

7 2. SERVE AT THE PLEASURE OF THE SHERIFF.

8 (III) 1. The Sheriff may appoint the number of assistant deputy
9 sheriffs as the County Commissioners approve, at salaries set by the County
10 Commissioners of at least \$4,200.

11 2. THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY
12 SHERIFF WITHOUT JUST CAUSE.

13 (IV) The Commissioners may appoint an assistant deputy sheriff, at
14 a salary set by the County Commissioners of at least \$4,200.

15 (2) The salaries are in lieu of all expenses, fees, costs, and charges,
16 except for the board and keeping of prisoners in the county jail and other necessary
17 operating expenses allowed by law or practice, including all expenses for transferring
18 persons to and from penal institutions, places of confinement and State institutions
19 in the State under sentence or order of an authority.

20 (v) (1) The Sheriff of Talbot County shall receive a salary as set by the
21 County Council.

22 (2) [He] THE SHERIFF may appoint, subject to the approval of the
23 County Council, the number of deputies [he] THE SHERIFF deems necessary at the
24 compensation fixed by the County Council prior to the appointment.

25 (3) THE SHERIFF MAY APPOINT A CHIEF DEPUTY SHERIFF, OR THE
26 MANAGERIAL EQUIVALENT, WHO SHALL SERVE AT THE PLEASURE OF THE SHERIFF.

27 (4) THE SHERIFF MAY NOT REFUSE TO REAPPOINT A DEPUTY SHERIFF
28 WITHOUT JUST CAUSE.

29 (5) The Sheriff's office shall be operated on a 24-hour daily basis.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2002.

